

## REMARKS

After amendment, the pending claims are 1-14 and 24-28. Claims 15-23 are canceled, without prejudice, as being drawn to non-elected subject matter. Applicants reserve the right to prosecute these claims in a divisional application filed during the pendency of the present application.

The elected claims were amended to correct clerical errors and to clarify the invention. Support for these amendments is found throughout the original claims and specification. No new matter is added by these amendments.

Claims 24-28 are added and recite processes for the production of acetic acid. These claims therefore properly fall within the subject matter of the elected claims. Support for these new claims is found throughout the original specification and claims and specifically on page 16, lines 3-10, page 24, lines 4-9, and in the examples. No new matter is added by these new claims.

### Response to the Restriction Requirement

In an effort to properly respond to the outstanding restriction requirement, Applicants have elected the claims of Group I, without traverse. Non-elected claims 15-23 have been canceled without prejudice as noted above

### Response to the Species Restriction

In an effort to properly respond to the outstanding species election requirements, Applicants have elected *Clostridium* bacteria and a gas comprising carbon monoxide, carbon dioxide, and hydrogen. Claim 28 reads upon the elected species.

Applicants believe that the Examiner's search will find that generic pending claim 1 and its dependent claims are allowable and that patentability of the same does not depend on the specific bacterium and gas recited therein. Applicants therefore would like to await the results of the Examiner's search prior to canceling generic claim 1 and/or amending the dependent claims 2-11, 13, 14, or 24-27 to depend from new claim 28.

The Director is hereby authorized to charge any deficiency in any fees due with the filing of this paper or credit any overpayment in any fees to our Deposit Account Number 08-3040.

Respectfully submitted,

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